- a picture type detection section for, while a still picture is being reproduced, detecting a picture type of a picture, from among the plurality of pictures, corresponding to the still picture;

- a bit rate calculation section for, while the still picture is being reproduced, calculating a number of bits included in the picture corresponding to the still picture, and while a moving picture is being reproduced, calculating an average bit rate per predetermined time unit, **and selecting and outputting either the number of bits included in the picture corresponding to the still picture or the average bit rate per predetermined time unit**; and

- a video signal generation section for, while the still picture is being reproduced, generating a first bit rate video signal for displaying the picture type detected by the picture type detection section and the number of bits calculated by the bit rate calculation section, and while the moving picture is being reproduced, generating a second bit rate video signal for displaying the average bit rate calculated by the bit rate calculation section;

- a video decoder for expanding the video bit stream to generate a video signal; and

- **a video signal addition section for, while the still picture is being reproduced, adding the video signal generated by the video decoder and the first bit rate video signal generated by the video signal generation section, and while the moving picture is being reproduced, adding the video signal generated by the video decoder and the second bit rate video signal generated by the video signal generation section.**

Applicant respectfully contends that the video reproduction apparatus defined by claim 1 is patently distinguished from the van den Branden Patent at least based on the features of the bit rate calculation section and the video signal addition section. These features are neither taught nor suggested in the van den Branden Patent.

In the pending Office Action, the Examiner has in the section entitled "Response to Arguments" found Applicant's Amendment filed December 30, 2004 as "not persuasive". In that Amendment, Applicant explained that the van den Branden Patent does not teach the presently claimed features of a picture type detection section, a bit rate calculation section, a video signal generation section or a video decoder as defined in Applicant's claimed invention. Applicant also explains that the van den Branden Patent does not teach the feature of adding

the signal generated by the video decoder to the first/second bit rate video signals. Further, it was contended that the van den Branden Patent does not teach selecting and outputting either number of bits included in the picture corresponding to the still picture, or the average bit rate per unit time. In response to these statements, the present Office Action cites a portion of the specification of the van den Branden Patent, as well as certain figures of that patent, as teaching the above noted features. Applicants, however, respectfully disagree with the assertions set forth in the Office Action, for the reasons subsequently discuss. It is Applicants position that the van den Branden Patent does not teach all of the features of Applicant's claimed invention.

Independent claim 1 specifically calls for the feature of "adding the video signal generated by the video decoder" to the first/second bit rate signal generated by the video signal generation section while the still/moving image is being reproduced. The Office Action, however, states that column 14, line 27 to column 15, line 5 of the van den Branden Patent teaches this feature. This position is presented on the basis that the van den Branden Patent discloses displaying information relating to the bit rate and the still or motion picture on the same screen. However, the cited portion of the van den Branden Patent only discloses providing the user with the ability to display the motion picture presented by the video bitstream (by selecting "display video"). A viewing area is then presented to the user via a video title window 360. There is no teaching or suggestion in the van den Branden Patent of displaying information relating to the bit rate within the window 360 or in another window so that both the video and the information are viewable at the same time.

Independent claim 1 also sets forth the feature of a "video signal addition section for ... adding the video signal generated by the video decoder and the first bit rate video signal generated by the video signal generation section", while a still image is being reproduced, and for "adding the signal generated by the video decoder and the second bit rate video signal generated by the video signal generation section", while a moving image is being reproduced.

The Office Action states that because van den Branden allegedly teaches many GUI display units, the feature of the presently claimed invention of a bit rate calculation section selecting and outputting either the number of bits or a still frame for the average number of bits of the motion picture is therefore taught by the van den Branden Patent. More specifically, the Office Action asserts that because window 13 depicts a bit analysis section having a subsection displaying a number of bits and a subsection displaying an average bit rate, it would be easy to display only one of the above subsections in this window. Applicant respectfully disagrees. Even if a window were to be configured to display only one of the still number and average number with the system of van den Branden this does not provide the feature of Applicant's claim 1 of generating a first bit rate video signal or a second bit rate video signal using the video signal addition section, depending on whether a still or moving image is being

reproduced, which means that the meaningless average bit rate data calculated in the bit rate calculation section is not added to the video signal when a still image is being reproduced.

There is simply no disclosure of the above noted features of Applicant's claimed invention in any portion of the van den Branden Patent. Thus Applicant contends that independent claim 1 is patently distinguished from the van den Branden Patent. But there are further distinctions between Applicants claimed invention and that taught in the van den Branden Patent.

The van den Branden Patent discloses an MPEG analyzing tool. In response to an operation of the Analysis Control Panel 300 in Figure 9, a moving picture is displayed in Figure 10 and an average bit rate and a picture type/number of bits are displayed in Bit/Buffer Analysis 375 in Figure 13. A picture type is displayed at picture header 340 in the Analysis Control Panel in Figure 9. However, the van den Branden Patent does not disclose displaying a picture type number of bits at the time of reproducing still pictures and displaying an average bit rate at the time of reproducing moving pictures, as setforth in claim 1. This is in contravention to the position taken by the Examiner in the Office Action. It is respectfully submitted that the Office Action misunderstands the above noted operation of the bitstream quality analyzer of the van den Branden Patent relative to Applicants' claimed invention.

In addition, it is obvious from the above described operation of the van den Branden analyzer that the van den Branden Patent does not disclose displaying a picture type/number of bits simultaneously with still pictures and displaying an average bit rate simultaneously with moving pictures as set forth in Applicant's claim 1.

The intended objective of the analyzer of the van den Branden Patent is to analyze an MPEG video stream and examine if the MPEG video stream conforms to the MPEG standard. On the other hand, the objective intended by Applicant's claimed invention is to adjust image quality. Accordingly, the objectives intended by the Applicant's claimed invention and that of van den Branden are different. And this difference results in a structure claimed in Applicants' claim 1 which is different than that taught or suggested in the van den Branden Patent. In other words, because it is not intended by the van den Branden Patent to adjust an image quality , the van den Brandon Patent does not have the necessity to display parameters corresponding to the reproduction content at the time of reproducing still or moving pictures. Nor does the van den Branden Patent disclose a function capable of such operation in the specification. In sum, the invention set forth in claim 1 has the objective of "adjusting image quality" which is not discussed or appreciated in the van den Branden Patent.

Based on the foregoing remarks, Applicant respectfully submit that claim 1 and dependent claims 3-6 are patentability distinguished from the van den Branden Patent. Applicant therefore requests that the Section 102(e) rejection be withdrawn.

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Applicant further contends that the features noted above with respect to independent claim 1 also similarly found in the video reproduction method defined by claim 7. Therefore claim 7 and dependant claims 9-12 are like wise patentably distinguished from the van den Branden Patent, requiring that the rejection directed to these claims likewise be withdrawn.

Claim Rejections under Section 103

Claims 3-6 and 9-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over van den Branden Patent. Applicant respectfully traverses this Section 103(a) rejection.

Claims 3-6 are directly dependant on claim 1, and claims 9-12 are directly dependent on claim 7. For the reasons set forth above, these dependent claims are patently distinguished from the van den Branden Patent based on their dependency on either claim 1 or claim 7. Applicant therefore requests that the Section 103(a) rejection be withdrawn.

In view of the foregoing remarks, Applicant respectfully submits that claims 1, 3-7, and 9-12 are in condition for allowance. Reconsideration and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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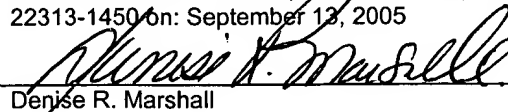Attorney for Applicant

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Attachments: Notice of Publication of Application

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